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Children and Families

VICE-CHAIRMAN:

Rules – Administrative Oversight

MEMBER:

Local Government
Veterans

SHEILA SOLON

State Representative
District 9

November, 18, 2020

Representative Elijah Haahr
Speaker of the Missouri House of Representatives
201 W. Capitol Avenue, Room 308
Jefferson City, MO 65101

Dear Speaker Haahr:

Your Standing Committee on Children and Families held an interim committee meeting to review a recent issue that had been brought to its attention as a result of the recent closure of an unlicensed youth residential facility operating in Missouri. The committee met on November 9, 2020 and hereby presents to the General Assembly a report on that meeting and the committee's recommendations.

Representative Sheila Solon, Chairman
Representative Jim Neely, Vice-Chairman
Representative Sarah Unsicker, Ranking Minority Member
Representative Rasheen Aldridge
Representative Dottie Bailey
Representative Elaine Gannon
Representative Keri Ingle
Representative Ian Mackey
Representative Mike Moon
Representative Randy Pietzman
Representative Holly Rehder
Representative Tim Remole

Attachment

SUMMARY OF HEARING

Background

Circle of Hope Girls' Ranch in Cedar County was raided in August and 25 girls were removed and relocated to other facilities. After hearing from concerned constituents and consulting with numerous state stakeholders, the Committee scheduled a hearing on November 9, 2020 to receive information about the state situation and stakeholder recommendations. Ultimately, the Committee wanted to discern if this case is indicative of a larger problem in Missouri that should be addressed in legislation.

Problem Statement

A 2008 General Accountability Office report (April 28, 2008) identified thousands of allegations of abuse, some involving death, including one in MO, at residential treatment facilities across the country. However, the report noted it is a difficult topic to research since there is no central database or entity that collects or investigates these cases.

Missouri requires DSS licensing of residential care facilities except that it provides exceptions for those operated by "any well-known religious order" and "any camp" that provides "recreation" or other services and does not allow the state to require proof of exemption. Furthermore, under Missouri law they are not monitored by the Department of Elementary and Secondary Education. And, because these are private religious facilities that are not approved for any type of public or private insurance payments, the Department of Health provides no oversight even though many of the facilities market themselves as therapeutic facilities for families seeking intervention for youth with behavioral, addiction, and other mental health concerns.

Witnesses

Representatives from five state agencies attended in person and answered questions of the committee:

- Shawn Griggs and Paul Kerperin, Missouri State Highway Patrol
- Michael Harris, Department of Elementary and Secondary Education
- Kelly Schultz, Office of Child Advocate
- Caitlin Whaley, Department of Social Services
- Zachary Wyatt, Department of Revenue

Susan Flanigan from the Department of Mental Health provided a written report for the committee.

Two advocacy organizations attended in person:

- Mary Chant, Missouri Coalition of Child Agencies
- Jessica Seitz, Missouri Kids First

Three persons representing licensed and unlicensed residential facilities also attended the meeting:

- Woody Cozad and David Melton, CNS International Ministries and Heartland Christian Academy
- Erin Eaton, Salvation Army Children's Shelter, Kansas City

Finally, written testimony was submitted by six former residents that described the abuse they endured in the facilities and the long-term impacts it has had on their lives.

RECOMMENDATIONS

Based on the testimony and responses to committee questions, the committee concluded that there are numerous facilities in the state that have abused vulnerable children in their care, with no state oversight, for many years. The committee also strongly believes that no Missouri governmental entity should interfere with a parent's right to place a child with an organization that shares their same desire in program requirements, curriculum, personnel, ministry, teaching, instruction, or enrollment.

Balancing the need to protect children and freedom for parents and religious teaching, the committee makes the following recommendations for legislation in the upcoming session:

1. Facilities in Missouri that care for children away from their parents or guardians on a residential basis should be required to abide by minimal health and safety requirements in order to operate;
2. One of those requirements shall be a one-time registration requirement with the Department of Social Services for any facility that is not otherwise licensed by the state;
3. Registration shall include proof that the facility has and will continue to conduct Missouri State Highway patrol fingerprint background checks of all owners, operators, employees, and volunteers;
4. Failure to conduct background checks should result in misdemeanor charges and administrative penalties for facility operators;
5. The Department of Social Services should maintain a report or public website where the public can see licensed and registered facilities and reports of substantiated cases of child abuse or other criminal complaints;
6. Accumulation of three substantiated child abuse and neglect reports in the same facility shall result in revocation of registration and removal of children; and
7. Facilities shall be required to abide by the same local fire and health requirements as any other child care facility.

In addition to strengthening legislation, the committee recommends further inquiry into the operation and functionality of the multi-disciplinary teams and stakeholders responsible for investigating and protecting our children. Witnesses to this committee, our constituents, and even stakeholders have complained about problems and obstacles in our child protection systems and those concerns deserve attention.